

TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES

Wednesday, 10th January, 2024

Present: Cllr Mrs A S Oakley (Chair), Cllr M A J Hood (Vice-Chair), Cllr C Brown, Cllr A Cope, Cllr D Harman, Cllr P M Hickmott, Cllr G B Hines, Cllr F A Hoskins, Cllr S A Hudson, Cllr D W King, Cllr J R S Lark, Cllr W E Palmer, Cllr B Banks (substitute), Cllr G C Bridge (substitute), Cllr A Mehmet (substitute), Cllr M R Rhodes (substitute) and Cllr C J Williams (substitute)

In attendance: Councillors A G Bennison, M D Boughton, J Clokey, S Crisp, D Keers, B A Parry, K B Tanner and M Taylor were also present pursuant to Council Procedure Rule No 15.21.

Virtual: Councillors L Athwal, A McDermott, R V Roud and K S Tunstall participated via MS Teams in accordance with Council Procedure Rule 15.21.

Apologies for absence were received from Councillors R I B Cannon (Vice-Chair), T Bishop, R W Dalton, D A S Davis and D Thornewell.

PART 1 - PUBLIC

OS 24/1 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

- Councillor C Williams substituted for Councillor R Cannon
- Councillor B Banks substituted for Councillor T Bishop
- Councillor A Mehmet substituted for Councillor R Dalton
- Councillor M Rhodes substituted for Councillor D Davis
- Councillor G Bridge substituted for Councillor D Thornewell

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

OS 24/2 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

EXECUTIVE DECISIONS WHICH HAVE BEEN 'CALLED IN'**MATTERS FOR RECOMMENDATION TO THE CABINET****OS 24/3 CALL IN OF DECISION NOTICE D230106CAB - FUTURE OF THE ANGEL CENTRE, TONBRIDGE**

The report of the Scrutiny Officer advised that in accordance with the Overview and Scrutiny Procedure Rules set out in the Constitution, five members of the Committee had raised a valid 'call-in' request in relation to the decision taken by the Cabinet in respect of the future of the Angel Centre, Tonbridge.

Decision Notice D230106CAB (attached at Annex 1) had been published on 8 December 2023 and subsequently called-in by Councillors Hood, Hines, Cope, Hoskins and Thornewell.

The grounds for call-in were set out in the report, at paragraph 1.1.2, and the decision was 'deferred' pending consideration by the Overview and Scrutiny Committee.

Members of the Committee considered the grounds for the call-in and had regard to the responses provided by the Leader. There was detailed discussion on the general principle of taking the decision to demolish the Angel Centre before a suitable location for a replacement had been identified.

It was proposed by Councillor Hood and seconded by Councillor Hines that a revised decision be recommended to Cabinet as follows: "Mace, our consultants, should provide options for demolition, refurbishment and relocation of the leisure and community facilities currently provided at the Angel Centre; all options should be kept on the table until Members have sufficient detail to make an informed decision and are provided with a shortlist of possible locations."

Following a formal vote this proposal was rejected with 9 Members voting against and 8 voting in favour.

It was the opinion of Members that a sustainable carbon neutral and state of the art new leisure centre that met the evolving leisure and community needs of the residents would benefit the borough as a whole. The Leader advised that the demolishing and rebuilding option could ensure a continued provision of facilities as the existing Angel Centre would remain open until a replacement facility was opened. Members were further advised that there would be multiple stages to engage them for scrutinising and decision making in respect of the new leisure centre, as part of the asset review and regeneration of the Tonbridge Town Centre.

In order to emphasise the nature of the current decision being “in principle” and the inclusion of “community facilities” within the consideration of the replacement facilities, it was proposed by Councillor Harman and seconded by Councillor Hudson that an amended decision be recommended to Cabinet to highlight these points as discussed.

Following a formal vote this proposal was supported with 10 Members voting in favour and 7 voting against. In accordance with Council Procedure Rule 8. 6, Part 4 (Rules) of the Constitution, Councillors Hood, Banks, Cope, Hickmott, Hines, Hoskins and Bridge requested that it be recorded in the Minutes that they had voted against this proposal.

RECOMMENDED: That decision D230106CAB be amended as follows:

“In principle, the Angel Centre be demolished and replacement leisure and community facilities be provided in Tonbridge and, in principle, all options be kept on the table for the future location and nature of such replacement leisure and community facilities within Tonbridge.”

***Recommended to Cabinet**

MATTERS FOR CONSIDERATION IN PRIVATE

OS 24/4 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

PART 2 - PRIVATE

MATTERS FOR INFORMATION

OS 24/5 FUTURE OF THE ANGEL CENTRE, TONBRIDGE - ANNEX 1

(Reason: LGA 1972, Sch 12A, Paragraph 3 – Financial or business affairs of any particular person)

Annex 1 – Legal Implications, set out in Part 2 of the agenda, was attached for information during Members’ consideration of ‘Call In of Decision Notice D230106CAB – Future of the Angel Centre, Tonbridge’ (Minute OS 24/3 refers).

The meeting ended at 9.07 pm